

MINUTES OF THE TOWN OF FLORENCE COUNCIL REGULAR MEETING HELD ON MONDAY, OCTOBER 4, 2021, AT 6:00 P.M., IN THE FLORENCE TOWN COUNCIL CHAMBERS, LOCATED AT 775 N. MAIN STREET, FLORENCE, ARIZONA.

SPECIAL NOTICE REGARDING PUBLIC MEETINGS

Due to the risks to public health caused by the possible spread of the COVID-19 virus at public gatherings, the Town of Florence has authorized attendance through technological means. In reliance on, and in compliance with, the March 13, 2020 Opinion issued by Attorney General Mark Brnovich, and in conjunction with the Emergency Proclamation signed by Mayor Tara Walter, on March 18, 2020, the Town of Florence provides this special advance notice of the technological means through which public meetings may be accessed. Public wishing to provide comment at the meeting should contact the Town Clerk by 5:00 p.m. the day of the meeting.

CALL TO ORDER

Mayor Walter called the meeting to order at 6:00 p.m.

ROLL CALL:

Present: Tara Walter, Michelle Cordes, John Anderson, Judy Hughes, Arthur Neal, Johnie Mendoza

Absent: Kristen Rodriguez

MOMENT OF SILENCE

Mayor Walter called for a moment of silence.

PLEDGE OF ALLEGIANCE

Mayor Walter led the Pledge of Allegiance.

CALL TO THE PUBLIC

Call to the Public for public comment on issues within the jurisdiction of the Town Council. Council rules limit public comment to three minutes. Individual Councilmembers may respond to criticism made by those commenting, may ask staff to review a matter raised or may ask that a matter be put on a future agenda. However, members of the Council shall not discuss or take action on any matter during an open call to the public unless the matters are properly noticed for discussion and legal action.

Ms. Stephanie Joyner, Executive Director, Pinal County Historical Museum, invited everyone to the museum for their Día De Los Muertos celebration on October 31st. They will have music, dancing, food, special guest speaker Zarco Guerrero [who will tell the story of Día De Los Muertos through six characters], and many crafts. The event is free for anyone 18 and younger and \$10 for those 19 and older.

Ms. Joyner invited the public to participate in their other craft sessions that are held at the Suter House on Tuesdays and at the museum on Saturdays through the month of October.

Mr. Roger Biede, Executive Director, Greater Florence Chamber of Commerce and a member of the Florence Unified School District (FUSD) Governing Board, thanked everyone who assisted with the Showdown on Main Pitmaster event that took place October 1 – 2, 2021. The fundraiser event supported the Florence Friends of the Kids First Foundation which provides scholarships to FUSD high school students. The fundraiser event raised approximately \$50,000 for local scholarships.

PRESENTATIONS

Proclamation declaring October 2021 as Domestic Violence Month.

Mayor Walter declared October 2021 as Domestic Violence Month and showed a video in which she read the proclamation. She thanked the staff for lighting Town Hall purple in observance of Domestic Violence Month.

CONSENT: All items on the consent agenda will be handled by a single vote as part of the consent agenda unless a Councilmember or a member of the public objects at the time the agenda item is called.

Authorization for the Mayor to sign a letter to Arizona's Congressional Delegation, urging support for Resolution Copper and opposing the language in the current version of the budget reconciliation bill that would repeal the previously approved Oak Flat withdrawal area. (Mayor Walter)

Discussion/Approval/Disapproval of Resolution No. 1800-21:

Mayor Walter read Resolution No. 1800-21 by title only.

A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, AUTHORIZING THE SUBMISSION OF AN APPLICATION TO THE ARIZONA STATE PARKS OFF-HIGHWAY VEHICLE SUPPLEMENTAL GRANT PROGRAM AND THE SIGNING OF THE PROJECT AGREEMENT TO COMPLETE THE POSTON BUTTE PRESERVE FENCE PROJECT.

Accept the register of demands ending August 31, 2021, in the amount of \$1,938,412.22.

On motion of Councilmember Hughes, seconded by Councilmember Anderson, and carried (6-0) to approve the Consent Agenda, as written.

NEW BUSINESS

Discussion/Approval/Disapproval to authorize the Town to enter into a Cooperative Contract with Ellison Mills Contracting, LLC, utilizing the Contract for Cooperative Use of Pima County, AZ Contract No. MA-PO-22-035 Wastewater Conveyance System and Related Facilities Repair, Rehabilitation and Construction Services Job Order Contracting, for realignment of existing utilities

at two roadway crossings for the new construction for the San Carlos Irrigation & Drainage District in an amount not to exceed \$288,210.93.

Mr. Chris Salas, Public Works Director, stated that the Town has been working on this project with the San Carlos Irrigation and Drainage District (SCIDD) for approximately two years. The SCIDD is realigning the existing canals, relining the canals and redoing facilities. This will require the Town to relocate its utilities. It was determined, on the prior rights, that the Town is financially responsible to pay for the utility relocations as the Town is in SCIDD's easement.

Mr. Salas stated that this is a time-sensitive project as SCIDD is currently doing work in the area and are waiting for Florence to do its work.

Mr. Salas stated that staff is requesting to use the Pima County contract, that has cooperative language, and includes Davis Bacon wages, for this project in an amount of \$262,009.94, plus 10% contingency of 26,200.99, for a total of \$288,210.93.

Councilmember Anderson inquired where the crossings are located.

Mr. Salas stated that the crossings are on Butte Avenue and south of Town, so they are in an urbanized area and will have no impact to traffic.

Councilmember Mendoza read through the contract and did not find any mention of the Town, nor could he find a location. He inquired how the Pima County Contract pertains to Florence.

Mr. Salas stated that the contract does not contain information pertaining to the Town. The Town is utilizing the contract under job order contracting. He inquired of Lisa Garcia, Deputy Town Manager/Town Clerk, as to why the entire contract needed to be included within the packet.

Ms. Garcia stated that staff can have the contract available in the Council Office for review should they so desire and not include it in the packet. The contract is included so Council has access to all documentation. Council previously asked to have the solicitations included in the packets, so all documentation is now included. Staff includes the solicitation, the contract that is being used and the Town of Florence information.

Mayor Walter stated that she supports having all the necessary information in the packet. Councilmember Mendoza was inquiring how this project would impact Florence and the community.

Mr. Salas stated that he is not the project manager of the design, so he is unable to elaborate. The crossings are along the southern part of Florence where the SCIDD canal comes through, one is along Butte Avenue, and one is non-descriptive because it is not under a road. He stated that the Town will eventually redo the box culvert at the Butte Avenue location and negotiations with the other entities are ongoing.

Vice-Mayor Cordes requested that detail of what the project is, what they will be doing in our community, and the location of the project be included in the documentation provided to Council in the future.

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Mr. Salas stated that a map should have been included and he will ensure that information be provided in the future.

On motion of Vice-Mayor Cordes, seconded by Councilmember Hughes, and carried (6-0) authorize the Town to enter into a Cooperative Contract with Ellison Mills Contracting, LLC, utilizing the Contract for Cooperative Use of Pima County, AZ Contract No. MA-PO-22-035 Wastewater Conveyance System and Related Facilities Repair, Rehabilitation and Construction Services Job Order Contracting, for realignment of existing utilities at two roadway crossings for the new construction for the San Carlos Irrigation & Drainage District, in an amount not to exceed \$288,210.93.

Discussion/Approval/Disapproval to authorize the Town to enter into an Intergovernmental Agreement with Maricopa County, for the exchange of services (Entente) in order to perform routine or emergency roadway maintenance services as well as utilizing shared resources, in an amount not to exceed \$250,000.

Mr. Salas stated that the agreement will allow the Town to share resources and the cost will be negotiated on a task-by task basis, in which there may be several instances where there may not be a fee. He provided examples in which the agreement will be beneficial and noted that every city within Maricopa County has a similar agreement. This is a normal public works function to help a neighboring community.

Councilmember Anderson inquired about the \$250,000 cost.

Mr. Salas stated that the language was included in their agreement as it relates to a maximum capacity. The Town has no interest in doing anything large with Maricopa County.

Councilmember Anderson inquired if approved, does it allow staff the capacity to spend up to \$250,000.

Mr. Clifford L. Mattice, Town Attorney, stated that it would allow spending capacity up to \$250,000 if approved; however, Council has the discretion to lower the capacity amount.

Mr. Salas stated that the capacity amount can be lowered to \$50,000. It will be used for emergencies only. He stated that the overall budget spending capacity will not be raised if approved, but rather something would need to be eliminated if an emergency existed and was unbudgeted for.

Councilmember Anderson suggested that the capacity limit be reduced to \$50,000 and if expended, Council can consider increasing the limit in the future.

Discussion occurred on tabling the item, amending the contract to reduce the capacity and to forward to Council for consideration at a future meeting with a capacity limit of \$50,000.

On motion of Vice-Mayor Cordes, seconded by Councilmember Anderson, and carried (6-0) to table the authorization for the Town to enter into an Intergovernmental Agreement with Maricopa County.

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Discussion/Approval/Disapproval to authorize the Town to approve Amendment One to the On-Call Engineering Services Agreement with Westland Resources dated January 21, 2020, increasing the contract price from \$350,000 to \$750,000.

Mr. Salas stated that they have encumbered \$350,000, so they are not authorized to do additional work with Westland Resources through on call engineering services. He outlined some of the projects that the Town is working on in which on call engineering services can be used. He outlined some of the small projects that Westland Resources is used for such as determining what infrastructure is needed when reviewing preliminary designs.

Ms. Garcia stated that the Town entered into the contract on January 21, 2020. The terms of the contract did not change, the addendum changes the dollar amount from \$350,000 to \$750,000. A task order is attached each time the contract is used. The amendment also eliminates Section VI – Period of Service. Section 3.1.3 already sets the term not to exceed five years. It is for three years with two one-year extensions.

Councilmember Anderson inquired where the funding will be allocated from or will the utility rates need to be increased.

Mr. Salas stated that the utility rates will not need to be increased should Council approve the amendment to the Westland Resources contract.

Councilmember Anderson inquired if Council would approve each task.

Ms. Garcia stated the engineering services are included in the budget and only encumbers what has been budgeted for. He will not spend money that has not been budgeted for. There is not another engineer that does this specific type of work which is why he is requesting to increase the contract amount.

Mr. Salas stated that the individual tasks are not presented to Council for consideration as they fall within the approval of the job order contract.

On motion of Vice-Mayor Cordes, seconded by Councilmember Anderson, and carried (6-0) to authorize the Town to approve Amendment One to the On-Call Engineering Services Agreement with Westland Resources dated January 21, 2020, increasing the contract price from \$350,000 to \$750,000.

Discussion/Approval/Disapproval of authorizing the Town Manager to negotiate and enter into a Master Energy Services Agreement with Ameresco, Inc. to provide facility upgrades across town.

Mr. Ben Bitter, Intergovernmental and Communications Manager, stated that the project has been years in the making. Employees have been working on finding ways to enhance energy efficiency within the Town to ensure that all of the taxpayer dollars are spent in an efficient way.

Mr. Bitter stated that the Town approved a contract with Ameresco last year for a facility audit and they have completed the audit. He stated, that if approved, Ameresco would perform the energy upgrades. He explained the audit process and said they completed an engineering analysis to determine how much electricity and energy could be saved if new, more efficient measures were implemented.

Mr. Bitter provided a presentation in which he outlined the following:

- Project Goals
 - Fund all projects from the energy saved
 - Maximize infrastructure improvements
 - Add solar energy, where appropriate
 - Utilize WIFA, ARPA funds to help advance the community
- Audit Steps that have been completed
 - Utility analysis
 - Ameresco performed a comprehensive study of the Town's utility usage.
 - Twelve months of data was collected and analyzed for electrical service and natural gas consumption and billing.
 - Engineering
 - Ameresco performed technical surveys and engineering analyses of the Town's infrastructure and HVAC systems.
 - Ameresco then performed engineering analyses of multiple retrofits to determine their feasibility and savings potential.
 - Financials
 - Financial analyses were performed to determine the project costs and annual cashflow.
 - Ameresco supports the Town's efforts to secure the best use of stimulus funding and bond financing to ensure the project delivers the best value to the Town.
- Proposals
 - Streetlights
 - Replace all old High-Pressure Sodium (HPS) lights with LED lights.
 - Less energy, better light, cooler (temperature-wise), uniform color across the town.
 - Interior lights
 - Ensure uniformity of light across all Town facilities. Allows for easier bulb replacement.
 - Reduces energy use.
 - HVAC
 - Full replacement of HVAC systems at Town Hall and five other facilities.
 - Replaces many units that are at the end of their useful life, or that have required constant maintenance.
 - South Wastewater Treatment Plant
 - Replace the coarse bubble diffusion system with a fine bubble diffusion system.
 - Reduces energy costs, modernizes system, replaces outdated equipment.
 - Solar
 - Install 1,589 kW-DC of Solar Renewable Energy at seven facilities.
 - Will offset over 60% of Town-purchased electricity.
 - Solar is owned and operated by Ameresco.
 - Town purchases this solar energy/electricity at a reduced rate compared to what we purchase from APS.

- 25-year agreement
- Financials
 - First year savings - \$297,414
 - Ameresco will own and maintain solar panels
 - Mix of funding - ARPA, WIFA, Bond
 - Term of agreement on solar - 25 Years
 - Anticipated that solar panels will still produce at approximately 85%
 - After term, Town can request to purchase solar panels or ask that they remove the solar panels
 - Estimated 25-year benefit - \$4,100,000
 - TOTAL PROJECT SAVINGS - \$9,700,000

Implementation Costs	Costs (\$)
ECM 1: HVAC Improvements	\$1,061,461
ECM 2: Street Lighting Retrofit	\$546,115
ECM 3: Building & Park Lighting Upgrades	\$268,579
ECM 4: Solar Photovoltaic Systems (Note 1)	\$1,000,000
ECM 5: Wastewater Treatment Improvements	\$3,497,496
Subtotal	\$6,373,651
Performance & Payment Bonds	\$49,013
Taxes (AZ Privilege Tax)	\$303,127
Total Ameresco Contract Amount	\$6,725,791

- Staff is requesting to include other projects within the financing
 - Due to expenditure limitation; cannot spend more than our expenditure limitation regardless of the money the Town has
 - Projects can be excluded if they are financed
 - Financing is an option to move forward on the projects without exceed our expenditure limitation
- Staff is requesting to do bond financing
- Timeline
 - October 18, 2021 – Financial approval for bonding
 - October 2021 – contract execution
 - November 2021- August 2022 - project construction
 - August 2022 – September 2022 - commissioning, testing, and acceptance by the Town.

Vice-Mayor Cordes inquired how the solar panels will be disposed of if the Town chooses not to retain them after the term of the contract. She does not want it added to the landfill.

Mr. Bitter stated that the solar panels would be the property of Ameresco, and they would remove the panels and possibly recycle the material.

Councilmember Anderson inquired if the rates would need to be increased in order to pay for this.

Mr. Bitter stated that the stimulus dollar received are restrictive; however, an approved use is to provide water and sewer services and the stimulus dollars will be used for the water and sewer component of the project.

Councilmember Neal inquired about Ameresco paying Florence for any shortfalls.

Mr. Bitter stated that the cost difference was for the bubble diffuser. Initially the cost was budgeted at \$2.4 million, and the revised cost is \$3.6 million.

On motion of Vice-Mayor Cordes, seconded by Councilmember Neal, and carried (6-0) to authorize the Town Manager to negotiate and enter into a Master Energy Services Agreement with Ameresco, Inc. to provide facility upgrades across town.

First reading of Ordinance No. 706-21:

Mayor Walter read Ordinance No. 706-21 by title only.

AN ORDINANCE OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, BY INSERTING §73.11 BE TITLED PARKING, STANDING, LOADING OR UNLOADING OF COMMERCIAL MOTOR VEHICLES/RECREATIONAL MOTOR VEHICLES ON MAIN STREET BETWEEN BUTTE AVENUE AND RUGGLES STREET PROHIBITED; ADDING A NEW SECTION 73.14 TRUCKS AND TRAILERS ON RESIDENTIAL STREETS; AND A NEW SECTION 73.15 PARKING IN RESIDENTIAL DRIVEWAYS OR PRIVATE PARTY, AND ESTABLISHING A PENALTY FOR SECTION 73.14 AND 73.15.

Mr. Bruce Walls, Police Chief, stated the ordinance will strengthen the Town's parking ordinances. The changes include:

- Section 73.11
 - The words "recreational vehicles" is missing from the title and needs to be included to avoid confusion
- Section 73.14 and Section 73.15
 - Added vehicles in excess of 25,000 pounds
 - Parking on residential streets – can only be there for loading/unloading
 - Recreational Vehicles
 - Parked on residential streets for more than 48 hours will be in violation of the Code
- Section 73.15
 - Vehicles in excess of 25,000 and recreational vehicles being parked in driveway
 - Limit parking to be in the backyard or area screened away from the public
 - Selling of vehicles
 - Residential owners will only be able to sell one vehicle on their property
 - Exception is for those who have zoning to allow for the sale of multiple vehicles
- Penalty
 - \$100 fine if not resolved within five days
 - Class 3 misdemeanor if not resolved within the five days provided or \$500 per day until the situation is rectified

Chief Walls stated that currently the Police Department has to rely on the 48 hours outlined within the Code when they receive complaints. The Code states that the vehicle must be moved when the Police Department makes contact with it. In essence, the vehicle owner can move the vehicles a few inches and the clock starts again. The adoption of the proposed ordinance, the Police Department can take action through a citation or a green sticker which provides them 48 hours to address the issue.

Chief Walls stated that the green code is surfaced around A.R.S. §28-872 which limits the vehicle to towing the vehicle only if it is obstructing a roadway.

Vice-Mayor Cordes inquired if recreational vehicles are for those that are not street legal.

Chief Walls stated that the vehicles include recreational vehicles, RVs, buses, boats, utility, portable camping trailers, off road or haulers.

Councilmember Anderson inquired about repeat offenders.

Chief Walls stated that the penalty Code outlined in the ordinance addresses the issue.

Councilmember Neal stated that there are many residents in the downtown area who have recreational vehicles in their driveways and use them. This ordinance may not be acceptable to many of our downtown residents.

Chief Walls stated that situations will be looked at on a case-by-case basis. The ordinance is not a hard rule but rather a tool to help resolve some of the complaints that are received.

Vice-Mayor Cordes inquired if this is only for Main Street between Butte and Ruggles.

Chief Walls clarified that the ordinance is Town-wide and not a specific area, with exception of Section 73.11 which covers Main Street, between Butte and Ruggles for the purpose of travel on that roadway. There is a permit process for this area should they wish to park there. Main Street is not designed to house those types of vehicles.

Vice-Mayor Cordes inquired if exemptions are to be provided for special events, such as the Showdown on Main Pitmaster, in which RVs were parked on Main Street.

Chief Walls stated that there is a permit process that one goes through for these types of events.

Councilmember Mendoza stated that the ordinance may conflict with home-based businesses. There is one business that runs his tow truck business from his home, which is allowed; however, he will no longer be allowed to park his truck at his home.

Chief Walls discussed the possibility of providing annual permits for parking. There may charges for the permit.

Councilmember Anderson inquired about situations in which a person parks their vehicle in the backyard, and they have a chain link fence so the vehicle is visible. He inquired if annual permits are an option for those as well.

Chief Walls stated the current ordinance allows for an RV to be parked in the back yard so long as it cannot be seen. He stated that each instance needs to be looked at a case-by-case basis. He would first like to work on community relationships.

Ms. Garcia stated when the Town adopts the Town Code it is town-wide and not for a specific area of the community. The police officers have the option of citation or education; however, the Town Code will apply to the community at large.

Mayor Walter stated that this is the first reading and there will be additional opportunity to submit questions or comments.

Vice-Mayor Cordes stated that this topic was previously discussed and if RVs, or other vehicles have been in someone's back yard for an extended period, it would be "grandfathered"; however, if it is something new that is being stored in the backyard, it would need to comply with the Town Code. Anthem has restrictions with regards to storage of such items; however, there is an option to obtain a short-term permit.

Chief Walls stated that he worked with Anthem personnel on the ordinance. There are 48-hour zones for parking. Sun City Anthem has a maximum of 72 hours.

Councilmember Anderson inquired how many permits are homeowners allowed to apply for and can they continually re-apply.

Chief Walls stated that the Town will not allow permits. The vehicle will be allowed 48 hours to move their vehicles before they are cited. HOAs are the only ones who can issue permits and the timeframe is very limited.

MANAGER'S REPORT

Ms. Garcia announced that Mr. Bitter is leaving the Town and will be working for the City of Maricopa. This is his last day of employment with the Town. It has been an honor to work with Mr. Bitter. He increased the level of transparency and provided a better product to the community. The Town appreciates the time he served our community and will always consider him a friend of Florence.

Mr. Bitter thanked the Council for their leadership, friendship and guidance. He has learned so much working for Florence and will carry our community in his heart. He will always seek for the best interest of Florence regardless of where he is. He stated that he is grateful for his time working in Florence and stated that it has been a great ride and thanked everyone for their participation in that ride.

DEPARTMENT REPORTS

Community Development

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Community Services

Courts

Finance

Fire

Police

Public Works

Councilmember Hughes stated that she has continually asked about the Code compliance issues and those that have been referred to the attorney. She requested to know the outcome of the issues.

Mr. Clifford L. Mattice, Town Attorney, stated for major compliance issues an order for the court is issued to allow the Town to enter the property. There have been several cases that have been referred to his office. He stated that five cases have been filed with his office; four have been resolved and one in which the cleanup occurred this week. An order and a warrant were issued for the Town to enter the property and do the work. There are several other cases that have been referred to his office and he needs to file them with the court.

Councilmember Hughes inquired if any of the cases are recurring issues.

Mr. Mattice stated that there has not been a case for recurring issues that have gone before the Court. He noted that there may be instances where they are recurring prior to coming to his office.

Councilmember Hughes requested a detailed report, for the year, with detailed information regarding the Code enforcement issues from when the Code violation was first issued to resolution. She stated that the information provided in the report is vague. She stated that the downtown area has been an ongoing issue with regards to Code violations.

Mr. Mattice stated that a lien is placed on the property if the Town is provided a court order to enter and clean the property.

Councilmember Hughes inquired the status of the rodeo repairs.

Mr. Hezekiah Allen, Community Services Director, stated that they have a project list and are working on a variety of items to be completed prior to the commencement of Junior Parada. The project list includes the following: repair stairs to the announcer's stand, lighting repairs, cleaning up the facility, leveling the main arena, weed control and clean up around the facility.

Councilmember Hughes inquired when the projects will be completed.

Mr. Allen stated that they should have the project list completed by October 31, 2021.

Councilmember Hughes requested a report at the completion of the project list which outlines what was completed.

The Department Reports were received and filed.

CALL TO THE PUBLIC

There were no public comments.

CALL TO THE COUNCIL – CURRENT EVENTS ONLY

Councilmember Neal stated that the BBQ event was a great event.

Councilmember Neal stated that the vacant lot between Sunrise Apartments and Park Apartments is an issue. People are using the area as a dump site. There has also been a lot of traffic in that area and is a concern to many. He would like the community to do better and be better. He is working with Mr. Billingsley and Chief Walls, and they will have a community cleanup event to clean up the lot on October 9, 2021. He invited everyone to assist and noted that you can earn community service hours by assisting with the cleanup.

Councilmember Anderson stated thanked Mr. Bitter for his service to the community. He will be missed.

Councilmember Anderson complimented the look of the Cuen Building. It is a fine example of a restored building. He stated that he also tried the new coffee shop, and it is a wonderful new business on Main St.

Councilmember Anderson stated that the Council received a letter of concern from the Greater Florence Chamber of Commerce and inquired if someone is responding to the letter.

Ms. Garcia stated that Mr. Billingsley, Mr. Vallendar and Mr. Allen will be responding to the letter.

Vice-Mayor Cordes stated that there are a few minor issues that need to be addressed with the Cuen building, but it is a beautiful building. She stated that the coffee shop has done a great job on the building.

Vice-Mayor Cordes complimented Mr. Biede on his work with the Showdown on Main Pitmaster event. He did a great job in working with other entities in collaboration for this event to be a success. She stated that many of those in attendance were visiting Florence for the first time and had positive things to say about the community.

Vice-Mayor Cordes stated that she is going to miss Mr. Bitter. She thanked Mr. Bitter for his support,

Councilmember Neal extended his appreciated to Mr. Bitter and stated that he will be missed. He wished him the best of luck on his new endeavor.

Mayor Walter stated that the Town is having several events. She thanked everyone who assisted in the Showdown on Main Street Pitmaster event. She stated that the money raised for local scholarships is impressive. Discussion has begun for an event next year with moving the date to sometime in November to allow for cooler weather and for an opportunity for the winter visitors to attend.

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Mayor Walter invited the public to all of the events that will be happening from now through the end of the year. She stated that there are two businesses that opened on Main Street: the coffee shop and the Loft on Main Street. Both are a great addition to Main Street.

ADJOURNMENT TO A WORK SESSION

On motion of Councilmember Anderson, seconded by Councilmember Neal, and carried (6-0) to adjourn to a Work Session.

Resolution No. 1802-21: A RESOLUTION OF THE TOWN OF FLORENCE, PINAL COUNTY, ARIZONA, AMENDING THE FLORENCE TOWN COUNCIL RULES OF PROCEDURE, EFFECTIVE NOVEMBER 4, 2021.

Ms. Garcia stated that it was brought to staff's attention that Section 6.7(d) of the Code is different than the agenda preparation in Section 7. One section states that an item goes on the next meeting and the other states that two members, the Town Manager or Mayor can call the item to a regular, special or work session meeting. Any time you give authorization to two members of Council, the Town Manager, and the Mayor there may be a conflict. Whenever there is a difference of opinion, the question posed is can the people who are in conflict work together and be united when instructing staff. When this does not occur, staff does not have the ability to determine who takes priority.

Ms. Garcia stated that this item is listed under work session on a regular meeting which gives everyone an opportunity to discuss the Town Council Rules of Procedure. She stated that Resolution No. 1802-21 cannot go before Council for consideration until such time that Council reviews the Florence Town Council Rules of Procedure and strikes sections, agrees to sections, has a conversation on it, and comes up with a consensus of what the policy shall entail.

Mayor Walter inquired if Council wants to proceed with discussion of this item or would prefer to wait until after the Council Retreat with Dr. Church.

Ms. Garcia stated that Dr. Church will do a team building session with the Council for four hours, which is separate from this agenda item. Dr. Church will not be participating in the discussion pertaining to the Town Council Rules of Procedure.

Councilmember Rodriguez requested that they wait until Dr. Church submits her report to the Council. She may be able to provide more insight to Council's direction and areas that Council may need to adjust.

Ms. Garcia stated that Dr. Church is going to find commonalities and unite the Council. She will not be discussing parliamentary procedures.

Discussion occurred on emails that were sent to Council regarding this item and the Council Retreat with Dr. Church.

Ms. Garcia stated that Mayor Walter requested that the documents be streamlined. The sections of the Code will be removed, and a reference section will be added to the policy that references the Town Code.

Vice-Mayor Cordes expressed her concern regarding not having a date set to meet with Dr. Church and inquired when will this item be discussed.

Discussion occurred on when Council can meet with Dr. Church.

Vice-Mayor Cordes stated that the conversation needs to take place with Dr. Church and should not include any staff. She stated that Council needs to come to a common ground without staff's influence. In the past, staff has interjected when Council disagrees, and this does not allow the Council to get to the root issue, but rather prevents the Council from moving forward.

Ms. Garcia stated that she will advise Mr. Billingsley that he does not need to attend the retreat and they can proceed with the October 23, 2021 date. She stated that she is required to be present because she needs to take minutes and the Town Attorney needs to be present to ensure that they do not violate the open meeting law.

Ms. Garcia stated that Dr. Church has requested that the retreat be held outside of the Town limits, and she needs to secure a location in a nearby municipality for the retreat.

Vice-Mayor Cordes inquired how can they violate the open meeting law since they are having a retreat and not a public meeting.

Ms. Garcia stated that the retreat still needs to be agendized and minutes must still be taken. The public is still able to attend and hear the conversation. Not allowing the public to attend would be an open meeting law violation. She noted that the staff present would not be in a participation role, nor would they be speaking at the retreat.

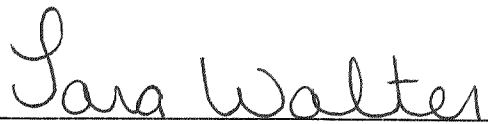
Vice-Mayor Cordes stated that she would prefer that only those staff whose presence is required attend the retreat.

Ms. Garcia stated that staff must follow the adopted Rules of Procedure, which were last adopted in 2019. She stated that staff will continue to follow the adopted Rules of Procedure until such time as new Rules of Procedure are adopted. Staff will hold this item until such time as Council provides direction on how to proceed.

Discussion occurred on having the Council retreat from 9:00 am – 1:00 pm and discussion on the Rules of Procedure from 1:00 pm – 2:00 pm

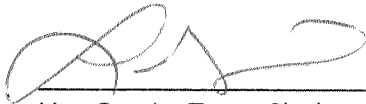
ADJOURNMENT

On motion of Vice-Mayor Cordes, seconded by Councilmember Neal, and carried (6-0) to adjourn the meeting at 8:07 p.m.



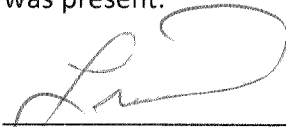
Tara Walter, Mayor

ATTEST:



Lisa Garcia, Town Clerk

I certify that the following is a true and correct copy of the minutes of the Florence Town Council meeting held on October 4, 2021, and that the meeting was duly called to order and that a quorum was present.



Lisa Garcia, Town Clerk

